App. F. IX-4

PRESERVED

Previous References

1937.
(15)

File No. 56-37

Serial Nos. 1-2

Letter References.

GS 56-37-3-4
Lr Dep. 383 of 39

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for August 1937

SUBJECT.

Amendment to Rule 4 of Order III of the Code of Civil Procedure (Re Refund of money paid into Court)

Gen Dep 1143 of 25-8-37

Asst Reg High Court

WD 0418—GPB—22,500—29-8-36

Approved

M Spring
9/9/37

GENERAL AND REVENUE SECRETARIAT.

(Rules Section)

NOTES.

C5 File No. 57

FILE HEADING

Request for Amendment of Order III Rule 11 of the C. P. C.

FROM The Registrar, High Court of Mysore

No. C. C. 355/36-37 Dated 11-8-37 Received 13-8-37

Diary No. 665	Enclos.	Spare copies	Serial No. 1

BRIEF ABSTRACT OF LETTER

Requesting sanction to the amendment of Order III Rule 4 of the C. P. C

NOTES AND ORDERS.

Draft G. O submitted. As it is the case in Br. India, This additional Sub-Rule will enable the pleaders to obtain reports of proceedings in Court on behalf their clients.

The proposed addition of the Sub-rule is to give a liberal meaning to the words "proceedings in the Suit" occurring in Sub-rule 2 of Rule 4 of Order III among other things

17.8.

NOTES—First Sheet

WD 0245—GPB—2,500—23-8-32

Amendment to Rule (Civil Procedure Code)

C5 File No. 56 of 1937.

General and Revenue Secretariat

This is made to include an application for refund of moneys paid into Court. There was a doubt whether a Vakalat filed in a suit was valid as regards withdrawal of money paid into Court. This new rule will set at rest that doubt.

The new rule may be sanctioned

[illegible] is for orders
chief sec.) for appr.

(Sr member)

DEWAN'S OFFICE
18 AUG. 1937
No. 1315

17. AUG. 19
GOVT. OF MYSORE.

To
The Regr. H.C.
P 1143 dy 25. 8. 37

Accords sanction to the addition of a new rule to Rule 4 of order III of C.P.C.

1. 9. 37

APPENDIX.

Add the following as sub-rule (3) to Rule 4 of Order III:-

" (3) For the purposes of sub-rule(2), an application for review of judgment, an application under Section 144 or Section 152 of this Code, any appeal from any decree or order in the suit or any application relating to such appeal and any application or act for the purpose of obtaining copies of documents or return of documents produced or filed in the suit or of obtaining refund of monies paid into the Court in connection with the suit shall be deemed to be proceedings in the suit".

REGISTRAR.

kvn.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

4

Read:-

Letter No.Roc.355/36-37 dated 11th August 1937 from the Registrar High Court, requesting sanction to the addition of a new sub rule (sub rule 3) to Rule 4 of Order III of the Code of Civil Procedure, as set out in the appendix to cover cases among other things of refund of moneys paid into Court.

Order No. P 1143 Es— 56-37-2
Secl.

Dated, Bangalore, 28th August 1937.

Approved.

for Chief Secretary to Government.

To

The Registrar, High Court of Mysore.

5

Add the following as sub-rule (3) to Rule 4 of Order III:-

" (3) For the purposes of sub-rule (2), an application for review of judgment, an application under Section 144 or Section 152 of this Code, any appeal from any decree or order in the suit or any application relating to such appeal and any application or act for the purpose of obtaining copies of documents or return of documents produced or filed in the suit or of obtaining refund of monies paid into the Court in connection with the suit shall be deemed to be proceedings in the suit".

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